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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,941

09/26/2003

Jose Costa-Requena

NOKM.070PA

9459

7590

11/21/2006

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EXAMINER

CHANG, JUNGWON

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,941

Applicant(s)

COSTA-REQUENA ET AL.

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Action is in response to RCE filed on 1/12/2006. Claims 1-32 are presented for examination.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 22-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 22-25 are not limited to tangible embodiments. In view of applicant's disclosure, specification on page 19, paragraph 0075, the readable medium is not limited to tangible embodiments (i.e., a computer program that exists permanently or temporarily on any computer-usable medium or in any transmitting medium which transmits such a program...transmitting mediums include, but are not limited to, transmissions via wireless/radio wave communication networks). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claim languages, "communicating the session descriptor request to a session descriptor module of the computing arrangement ***via an interprocess communications facility of the computing arrangement***", "processor coupled to a memory, the process operable by the session descriptor module for providing, ***via an interprocess communications facility***", wherein the session descriptor module and application are capable of communicating with each other ***via a interprocess communications facility of the mobile terminal***", and so forth, were not described in the specification.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims **1, 2, 4, 7, 9, 12, 13, 15, 16, 22, 23, 26, 27 and 29-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemets et al. (US 2003/0236912),

hereinafter Klemets, in view of Maes et al. (US 2003/0088421), hereinafter Maes, further in view of Keller et al. (US 2004/0133683), hereinafter Keller.

8. As to claims 1 and 30, Klemets discloses a method of initiating a multimedia session via a computing arrangement, comprising:

forming a request for a session descriptor usable for initiating the multimedia session (description request from the client; page 2, 0015; client 106 initiates a connection to the server; page 3, 0032; client 106 and server 104 to initiate a streaming media session; page 4, 0041);

communicating the request to a session descriptor module of the computing arrangement (the response contains transport level parameters and session identifier; page 3, 0032; transmitting description message via a description protocol, e.g., SDP; page 4, 0041; page 9, 0097-0139);

forming a session descriptor based on a set of multimedia session parameters of the computing arrangement (there may be multiple available video streams encoded at different bit rates, i.e., with different quality, and client may choose which one to receive; page 3, 0032; page 5, 0047-0056; page 6, 0062; page 9, 0097-0139);

communicating the session descriptor from the session descriptor module (session description; fig. 4; computer-readable media stores a data structure representing a description message...a session description field; page 2, 0017; session description section or field 512; page 5, 0048; page 9, 0097-0139); and

initiating the multimedia session using the session descriptor (client will use the

transport parameters for this session; page 3, 0032).

communicating the session descriptor from the application to the network entity to establish the multimedia session with the network entity (page 3, 0032).

9. Klemets discloses a client initiating multimedia connection to a server using application (page 3, 0032, "client 106 initiates a connection to the server using a RTSP SETUP command"), and wherein the session descriptor module (fig. 4) operates independently of the application (146-150, 172-176, 192, fig. 6). Klemets does not specifically disclose requesting multimedia session. Maes discloses requesting multimedia session (page 5, 0061, "in response to requests from the application 14"; page 6, "application sends request"; page 8, 0083, "establishment of a new voice session which, in telephony is a call and which on VoIP, could be a SIP session"; page 9, 0088; page 22, 0237). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Klemets and Maes because Maes' multimedia session request would create a multimedia session with information about media streams in multimedia sessions to allow the recipients of a session description to participate in the session (Maes, page 22, 0238).

10. Although Klemets discloses communicating the request to a session descriptor module of the computing arrangement, Klemets does not specifically disclose communicating the request via an inter process communication facility. Keller discloses communicating the request via an inter process communication facility (page 4, 0042-

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0043, "interaction between the individual proxy 216 and the session controller 206 can occur through any of a number of conventional mechanisms such as IPC messaging...IPC means"). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Klemets and Keller because Keller's IPC would exchange data between one program and another either within the same computer or over a network (Keller, page 4, 0042-0043).

11. As to claim 2, Klemets discloses wherein the session descriptor comprises a session description protocol (SDP) descriptor (page 3, 0028, 0030; page 1, 0007).

12. As to claim 4, Klemets discloses wherein the set of multimedia session parameters includes a session security parameter (authentication; page 3, 0032), and wherein forming the session descriptor further comprises receiving the media codecs parameter from a codecs module of the computing arrangement (encoding; decoding; page 6, 0067; page 7, 0073).

13. As to claims 7 and 9, Klemets discloses further comprising authenticating an originator of the request using an identity parameter (authentication; page 3, 0032).

14. As to claim 12, it is rejected for the same reasons set forth in claim 1 above. In addition, Klemets discloses one or more data processing arrangements (130, 194, fig. 6) coupled to a network (WAN, LAN; 196, 198, fig. 6) (page 8, 0086) and adapted to

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exchange multimedia data via the network (page 2, 0015-0016; page 3, 0032; page 8, 0086); a memory for storing an application and a session descriptor module (fig. 4; computer-readable media stores a data structure representing a description message...a session description field; page 2, 0017; session description section or field 512; page 5, 0048; page 9, 0097-0139); and a processor (132, fig. 6) coupled to the memory (134, 138, 140, fig. 6).

15. As to claim 13, it is rejected for the same reasons set forth in claim 2 above.

16. As to claims 15 and 16, they are rejected for the same reasons set forth in claim 4 above.

17. As to claim 22, it is rejected for the same reasons set forth in claim 1 above. In addition, Klemets discloses a computer-readable medium having instructions stored thereon, which are executable by a computing arrangement for establishing a multimedia session via a network (computer readable instructions; page 7, 0081-0084; page 8, 0091).

18. As to claim 23, it is rejected for the same reasons set forth in claim 2 above.

19. As to claim 26, it is rejected for the same reasons set forth in claim 1 above. In addition, Klemets discloses verifying the session descriptor based on a set of

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multimedia session parameters of the computing arrangement (client is free to choose which streams it wants to SETUP; page 3, 0032; SDP message specifies the corresponding streaming media format stream identifier; page 4, 0041).

20. As to claim 27, it is rejected for the same reasons set forth in claim 2 above.

21. As to claims 29 and 31, they are rejected for the same reasons set forth in claim 4 above.

22. **Claims 3, 5, 6, 14, 24, 28 and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemets, Maes, Keller, further in view of Sen et al. (US 6,845,389), hereinafter Sen.

23. As to claim 3, Klemets discloses multimedia session parameters includes a quality of service parameter (multiple available video streams encoded at different bit rates, i.e., different quality; various transport level parameters; page 3, 0032; selection of connection bandwidth; page 4, 0044). However, Klemets and Maes do not specifically disclose forming the session descriptor further comprises receiving the quality of service parameter from a QoS module of the computing arrangement. Sen discloses forming the session descriptor further comprises receiving the quality of service parameter from a QoS module of the computing arrangement (col. 2, lines 4-18; session participation request message 52 includes bandwidth requirements and the

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QoS requirements for the session; col. 4, lines 51-55; col. 5, lines 22-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Klemets, Maes and Sen because Sen's receiving the QoS parameter would improve the quality of service for the clients by establishing communication session based on user's service requirements.

24. As to claims 5 and 6, Klemets discloses set of multimedia session parameters (session description; fig. 4; computer-readable media stores a data structure representing a description message...a session description field; page 2, 0017; session description section or field 512; page 5, 0048; page 9, 0097-0139). However, Klemets does not specifically disclose a device description parameter, and wherein forming the session descriptor further comprises receiving the device description parameter from a device management module of the computing arrangement. Sen discloses a device description parameter, and wherein forming the session descriptor further comprises receiving the device description parameter from a device management module of the computing arrangement (session descriptor contains a description of user's computer terminal capabilities, such as processing power, memory, modem speed, etc; col. 4, lines 25-26, 32-45, 56-58). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Klemets, Maes and Sen because Sen's device description parameter would allow the system to make a decision for setting up the session based on the device capability (Sen, col. 6, lines 25-27).

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25. As to claims 14, 24 and 28, they are rejected for the same reasons set forth in claim 3 above.

26. As to claim 32, it is rejected for the same reasons set forth in claim 5 above.

27. **Claims 8, 10, 11 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemets, Maes, Keller, further in view of Nuutinen (US 2002/0129236).

28. As to claims 8 and 10, Klemets discloses encapsulation and encoding the session descriptor (page 6, 0065-0067). However, Klemets does not specifically disclose a Public Key Infrastructure (PKI) key, and encrypting the session descriptor. Nuutinen discloses Public Key Infrastructure (PKI) key (page 6, 0121-0124; page 7, 0135-0140), and encrypting the session descriptor (page 5, 0112-0116). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Klemets, Maes and Nuutinen because Nuutinen's PKI and encrypting would improve the security of the system by allowing only authorized user to receive and read the data.

29. As to claim 11, Klemets does not specifically disclose detecting an update in a system parameter that affects the multimedia session; forming a modified session descriptor based on the update; and communicating the modified session descriptor

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from the session descriptor module. Nuutinen discloses detecting an update in a system parameter that affects the multimedia session (handling the modifying multimedia session; page 2, 0038; page 6, 0129; verifying if it was modified; page 8, 0163); forming a modified session descriptor based on the update (modifications for terminal parameter settings are done to the SIP manager; page 11, 0239-0241); and communicating the modified session descriptor from the session descriptor module (transmission modified the message; page 7, 0131). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Klemets, Maes and Nuutinen because Nuutinen's detecting, forming and communicating the modified session descriptor would allow the user to efficiently alter the session descriptor to suit his needs.

30. As to claim 25, it is rejected for the same reasons set forth in claim 8 above.

31. **Claims 17-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemets et al. (US 2003/0236912), in view of Money et al. (US 2004/0009761), hereinafter Money, further in view of Keller.

32. As to claim 17, Klemets discloses a mobile terminal wirelessly (hand-held or laptop devices; page 8, 0090) coupled to a network (wireless media, such as acoustic, RF, infrared, and other wireless media, are examples of communication media; page 7, 0081), comprising:

exchange of multimedia data via the network (page 2, 0015-0016; page 3, 0032; page 8, 0086);

a memory (134, 138, 140, fig. 6) capable of storing at least one of a session descriptor module and a multimedia application (fig. 4; computer-readable media stores a data structure representing a description message...a session description field; page 2, 0017; session description section or field 512; page 5, 0048; page 9, 0097-0139); and

a processor (132, fig. 6) coupled to the memory (134, 138, 140, fig. 6) and operable by the multimedia application to establish a multimedia session via the network (page 8, 0086, 0088, 0089; page 9, 0092), the processor operable by the session descriptor module to:

receive a request for a multimedia session descriptor via the application (description request from the client; page 2, 0015; "client 106 initiates a connection to the server using a RTSP SETUP command"; page 3, 0032; client 106 and server 104 to initiate a streaming media session; page 4, 0041);

determine a set of multimedia parameters of the mobile terminal (client is free to choose which streams it wants to SETUP; page 3, 0032);

form the multimedia session descriptor based on the set of multimedia parameters of the mobile terminal, the multimedia descriptor usable in establishing the multimedia session via the application (fig. 4; SETUP only audio; page 3, 0032; page 5, 0047-0056; page 6, 0062; page 9, 0097-0139); and

communicate the multimedia session descriptor to the application to enable establishment of the multimedia session by the multimedia application (client will use

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the transport parameters for this session; page 3, 0032; page 4, 0045).

33. Klemets discloses wirelessly exchanging of multimedia data via the network (page 2, 0015-0016; page 3, 0032; page 8, 0086). However, Klemets does not specifically disclose a transceiver. Money discloses a transceiver (page 2, 0022). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Klemets and Money because Money's transceiver would allow the mobile user to wirelessly receive and transmit the desired data.

34. Although Klemets discloses communicating the request to a session descriptor module of the computing arrangement, Klemets does not specifically disclose communicating the request via an inter process communication facility. Keller discloses communicating the request via an inter process communication facility (page 4, 0042-0043, "interaction between the individual proxy 216 and the session controller 206 can occur through any of a number of conventional mechanisms such as IPC messaging...IPC means"). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Klemets and Keller because Keller's IPC would exchange data between one program and another either within the same computer or over a network (Keller, page 4, 0042-0043).

35. As to claim 18, Klemets discloses wherein the session descriptor comprises a session description protocol (SDP) descriptor (page 3, 0028, 0030; page 1, 0007).

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36. As to claim 19, Klemets discloses multimedia session parameters includes a quality of service parameter (multiple available video streams encoded at different bit rates, i.e., different quality; various transport level parameters; page 3, 0032; selection of connection bandwidth; page 4, 0044). However, Klemets does not specifically disclose storing a Quality of Service (QoS) module, and the processor is operable by the QoS module for providing a QoS parameter to the session descriptor module usable for forming the session descriptor data. Money disclose storing a Quality of Service (QoS) module (maintaining information such as user profiles and quality-of-service information; page 4, 0040), and the processor is operable by the QoS module for providing a QoS parameter to the session descriptor module usable for forming the session descriptor data (page 4, 0047-0048). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Klemets and Money because Money's receiving the QoS parameter would improve the quality of service for the clients by establishing communication session based on user's service requirements.

37. As to claims 20 and 21, Klemets discloses wherein the set of multimedia session parameters includes a session security parameter (authentication; page 3, 0032), and wherein forming the session descriptor further comprises receiving the media codecs parameter from a codecs module of the computing arrangement (encoding; decoding; page 6, 0067; page 7, 0073).

Conclusion

38. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

39. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Maggenti et al, US 2002/0086665, Khartabil, patent 7,039,710 disclose a method and system for providing multi-client support in a SIP-enabled terminal in order to send and receive SIP messages for the client applications.

40. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Jungwon Chang'.

Jungwon Chang
Primary Examiner
November 17, 2006